THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.16986 of 2005

Between:

Smt.Bangaru Varalakshmi and another

.. Petitioners

and

The District Collector and others

.. Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.16986 of 2005

O R D E R:

This writ petition is filed to declare the action of the respondents in not considering the representations dated 09.02.1994, 29.03.1999 and 08.06.2005 submitted by the petitioners for return of the land admeasuring 747 Sq.yards in T.S.No.724/1D, situated at Veerabhadrapuram, Rajahmundry town, as illegal and arbitrary and to direct the respondents to consider the above said representations.

The husband of the first petitioner purchased the land in question under a registered sale deed dated 15.10.1979. After his death, the petitioners have been in continuous

possession and enjoyment of the land. The petitioners stated that the second respondent-Sub-Collector, Rajahmundry, East Godavari District acquired the said land for the purpose of construction of a Municipal High School along with some other surrounding land and awarded compensation of Rs.65,684/-. The said amount was deposited in the Sub-Court, Rajahmundry under Section 31(2) of the Land Acquisition Act and the amount is still lying in the Sub-Court. While so, on 30.03.1992, the Municipal Council of Rajahmundry resolved to the effect that part of the land under acquisition was covered by water and part of the land was under occupation of weaker sections and directed to drop further proceedings with regard to the land in question, and requested the District Collector to refund the compensation amount deposited by the Municipality. The petitioners stated that they entered into an agreement of sale dated 07.02.1994 with one Madhusudhana Rao for sale of the said land. Therefore, they submitted representations dated 09.02.1994, 29.03.1999 and 08.06.2005 to respondents 1 and 2 for return of the land. But, so far no action has been taken on their representations. Hence, this writ petition is filed seeking necessary direction to the respondents in this regard.

Heard both the counsel.

As the Municipal Council of Rajahmundry resolved to drop further proceedings with regard to the land in question and asked the District Collector to refund the compensation deposited by them, I deem it appropriate to dispose of the writ petition directing the respondents to consider the representations dated 09.02.1994, 29.03.1999 and 08.06.2005 submitted by the petitioners for return of the land in question, which are pending from 1994, and pass appropriate orders, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. There shall be no order as to costs.

02.08.2005

kdl